

SNELL & WILMER L.L.P.  
Alan L. Sullivan (3152)  
Todd M. Shaughnessy (6651)  
Amy F. Sorenson (8947)  
15 West South Temple, #1200  
Salt Lake City, Utah 84101-1004  
Telephone: (801) 257-1900  
Facsimile: (801) 257-1800

FILED  
U.S. DISTRICT COURT

2005 OCT 11 P 2:04

DISTRICT OF UTAH

BY: DEPUTY CLERK

CRAVATH, SWAINE & MOORE LLP  
Evan R. Chesler (admitted pro hac vice)  
David R. Marriott (7572)  
Worldwide Plaza  
825 Eighth Avenue  
New York, NY 10019  
Telephone: (212) 474-1000  
Facsimile: (212) 474-3700

*Attorneys for Defendant/Counterclaim-Plaintiff  
International Business Machines Corporation*

**IN THE UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC.,

Plaintiff/Counterclaim-Defendant,

v.

INTERNATIONAL BUSINESS MACHINES  
CORPORATION,

Defendant/Counterclaim-Plaintiff.

**UNSEALED DECLARATION OF  
AMY F. SORENSEN IN SUPPORT OF  
IBM'S MEMORANDUM IN OPPOSITION TO  
SCO'S "RENEWED" MOTION  
TO COMPEL  
[Docket Nos. 219 and 220]**

Civil No. 2:03CV-0294 DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke C. Wells

SNELL & WILMER L.L.P.  
Alan L. Sullivan (3152)  
Todd M. Shaughnessy (6651)  
Amy F. Sorenson (8947)  
15 West South Temple, #1200  
Salt Lake City, Utah 84101-1004  
Telephone: (801) 257-1900  
Facsimile: (801) 257-1800

RECEIVED CLERK

2004 AUG -4 P 5:52

U.S. DISTRICT COURT  
DISTRICT OF UTAH

CRAVATH, SWAINE & MOORE LLP  
Evan R. Chesler (admitted pro hac vice)  
David R. Marriott (7572)  
Worldwide Plaza  
825 Eighth Avenue  
New York, NY 10019  
Telephone: (212) 474-1000  
Facsimile: (212) 474-3700

*Attorneys for Defendant/Counterclaim-Plaintiff  
International Business Machines Corporation*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

THE SCO GROUP, INC.,

Plaintiff/Counterclaim-Defendant,

v.

INTERNATIONAL BUSINESS MACHINES  
CORPORATION,

Defendant/Counterclaim-Plaintiff.

DECLARATION OF AMY F. SORENSEN IN  
SUPPORT OF IBM'S MEMORANDUM IN  
OPPOSITION TO SCO'S "RENEWED"  
MOTION TO COMPEL

Civil No. 2:03CV-0294 DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke C. Wells

I, Amy F. Sorenson, declare as follows:

1. I represent IBM in the lawsuit brought by SCO against IBM, entitled The SCO Group, Inc. v. International Business Machines Corporation, Civil No. 2:03CV-0294 DAK (D. Utah 2003). This declaration is submitted in support of Defendant/Counterclaim-Plaintiff IBM's Memorandum in Opposition to SCO's "Renewed" Motion to Compel.
2. Attached hereto are true and correct copies of the following documents:
  - (a) Exhibit 1 is a letter from Peter Ligh to Mark J. Heise, dated June 16, 2004.
  - (b) Exhibit 2 is a letter from Mark J. Heise to Peter Ligh, dated July 6, 2004.
  - (c) Exhibit 3 is SCO's Memorandum in Support of Its Motion to Compel, dated November 4, 2003.
  - (d) Exhibit 4 is SCO's First Request for Production of Documents and First Set of Interrogatories, dated June 24, 2003.
  - (e) Exhibit 5 is IBM's Second Supplemental Responses and Objections to SCO's First Set of Interrogatories, dated April 19, 2004.
  - (f) Exhibit 6 is a letter from Peter Ligh to Mark J. Heise, dated April 19, 2004.
  - (g) Exhibit 7 is SCO's Second Set of Interrogatories and Second Request for Production for Production of Documents, dated December 4, 2003.
  - (h) Exhibit 8 is a letter from Peter Ligh to Mark J. Heise, dated March 9, 2004.

- (i) Exhibit 9 is a letter from Mark J. Heise to Peter Ligh, dated March 26, 2004.
- (j) Exhibit 10 is a letter from Mark J. Heise to Peter Ligh, dated June 4, 2004.
- (k) Exhibit 11 is SCO's Supplemental Answer to IBM's Interrogatory Number Ten, dated October 10, 2003.
- (l) Exhibit 12 is a chart identifying individuals from whom SCO produced documents but did not identify in its interrogatory responses.
- (m) Exhibit 13 is Attachments A and F from IBM's Third Supplemental Responses and Objections to SCO's First Set of Interrogatories, served on August 4, 2004.
- (n) Exhibit 14 is a letter from Peter Ligh to Mark J. Heise, dated August 4, 2004.

3. I declare under penalty of perjury that the foregoing is true and correct.

Executed: August 4, 2004.

Salt Lake City, Utah



Amy F. Sorenson

**CERTIFICATE OF SERVICE**

I hereby certify that on the 4<sup>12</sup> day of August, 2004, a true and correct copy of the foregoing was hand delivered to the following:

Brent O. Hatch (w/ exhibits)  
Mark F. James  
HATCH, JAMES & DODGE, P.C.  
10 West Broadway, Suite 400  
Salt Lake City, Utah 84101

and was sent by U.S. Mail, postage prepaid, to the following:

Stephen N. Zack (w/o exhibits)  
Mark J. Heise  
BOIES, SCHILLER & FLEXNER LLP  
100 Southeast Second Street, Suite 2800  
Miami, Florida 33131

Robert Silver (w/ exhibits)  
BOIES, SCHILLER & FLEXNER LLP  
333 Main Street  
Armonk, New York 10504



Amy F. Sorenson

Exhibits/  
Attachments  
to this document  
have not been  
scanned.

Please see the  
case file.